

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

DOUGLAS PELLETIER

v.

CA 06-298 ML

A.T. WALL

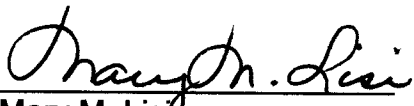
MEMORANDUM AND ORDER

This matter is before the Court on Petitioner's Objections to the Report and Recommendation issued by Magistrate Judge Almond on January 22, 2007. Magistrate Judge Almond recommends dismissal of the petition because the statute of limitations has run. See 28 U.S.C. § 2244(d)(2). This Court finds that Magistrate Judge Almond correctly calculated the deadline by which Petitioner was required to file; this Court further finds that Petitioner's claims that his petition was timely filed are without merit.

Accordingly, this Court adopts the Report and Recommendation; the petition is DISMISSED.

On January 30, 2007, Petitioner filed a letter which the Court treats as another request for appointment of counsel. (Petitioner had previously made a similar request which was denied by order dated July 12, 2006 (docket #4). This Court denies Petitioner's second request, essentially for the same reasons set forth by Magistrate Judge Almond in his July 12, 2006 Order.

SO ORDERED:


Mary M. Lisi
Chief U.S. District Judge
January 30, 2007